

OF COUNSEL:

DAVIS LEVIN LIVINGSTON

STANLEY E. LEVIN 1152-0

MICHAEL K. LIVINGSTON 4161-0

ANNE L. WILLIAMS 1662-0

851 Fort Street Mall, Suite 400

Honolulu, Hawaii 96813

Telephone: (808) 524-7500

Fax: (808) 545-7802

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

PATRICIA N. and GUY N.,
individually and on behalf of their
minor daughter, AMBER N.,

Plaintiffs,

vs.

PATRICIA HAMAMOTO, in her
official capacity as Superintendent of
the Hawaii Department of Education;
DEPARTMENT OF EDUCATION,
STATE OF HAWAII,

Defendants.

CIVIL No. CV00-00252 MLR/LEK
(Other Civil Action)

ERRATA RE: [294] PLAINTIFFS'
MOTION FOR RECONSIDER-
ATION REGARDING PLAINTIFFS'
MOTION TO CONTINUE THE
HEARING ON: 1) DEFENDANTS'
MOTION TO DISMISS
PLAINTIFFS' FIRST AMENDED
COMPLAINT FILED JUNE 2, 2008,
FOR FAILURE TO EXHAUST
ADMINISTRATIVE REMEDIES;
AND 2) DEFENDANTS' MOTION
TO PRECLUDE THE TESTIMONY
OF BARBARA BATEMAN;
DECLARATION OF MARK S.
DAVIS AND CERTIFICATE OF
SERVICE

HEARING: September 11, 2008
TIME: 10:00 a.m.
JUDGE: MANUEL L. REAL

**ERRATA RE: [294] PLAINTIFFS' MOTION FOR RECONSIDERATION
REGARDING PLAINTIFFS' MOTION TO CONTINUE THE HEARING
ON: 1) DEFENDANTS' MOTION TO DISMISS PLAINTIFFS'
FIRST AMENDED COMPLAINT FILED JUNE 2, 2008, FOR
FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES;
AND 2) DEFENDANTS' MOTION TO PRECLUDE
THE TESTIMONY OF BARBARA BATEMAN**

Plaintiffs filed their Motion for Reconsideration Regarding Plaintiffs' Motion to Continue 1) Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint, Filed June 2, 2008, for Failure to Exhaust Administrative Remedies; and 2) Defendants' Motion to Preclude the Testimony of Barbara Bateman on September 3, 2008. The Declaration of Mark S. Davis was attached unsigned. Plaintiffs are hereby submitting the Declaration of Mark S. Davis which was in fact signed on September 3, 2008 and is attached as a pdf file to this Errata.

DATED: Honolulu, Hawaii, September 5, 2008.

/S/ STANLEY E. LEVIN

STANLEY E. LEVIN
MICHAEL K. LIVINGSTON
ANNE L. WILLIAMS
SUSAN K. DORSEY

Attorneys for Plaintiffs